


UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA  
NORTHERN DIVISION

**FILED**  
APR 12 2011  
  
CLERK

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UNITED STATES OF AMERICA,

CR 11-10021-01

Plaintiff,

REDACTED INDICTMENT

vs.

MICHAEL SEIBEL,

AGGRAVATED SEXUAL ABUSE,  
SEXUAL ABUSE OF A MINOR,  
ABUSIVE SEXUAL CONTACT, and  
CHILD ABUSE

Defendant.

18 U.S.C. §§ 1152, 2241(c),  
2246(2)(D), 2243(a), 2246(2)(B),  
2246(2)(A), 2244(a)(3), 2246(3) and  
SDCL 26-10-1

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The Grand Jury charges:

COUNT I

On or about between the 23rd day of November, 2002, and the 22nd day of November, 2008, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly engage in, and attempt to engage in, a sexual act with [Name Redacted], an Indian child under the age of twelve, that is, contact, not through the clothing, between Michael Seibel's hand and fingers and [Name Redacted]'s genitalia, with the intent to abuse, humiliate, harass, and degrade [Name Redacted], and to arouse and gratify Michael Seibel's sexual desire, in violation of 18 U.S.C. §§ 1152, 2241(c) and 2246(2)(D).

COUNT II

On or about between the 26th day of July, 2005, and the 25th day of July, 2006, at McLaughlin, in Indian country, in the District of South Dakota,

Michael Seibel did knowingly engage in, and attempt to engage in, a sexual act with [Name Redacted], an Indian child under the age of twelve, that is, contact, not through the clothing, between Michael Seibel's hand and fingers and [Name Redacted]'s genitalia, with the intent to abuse, humiliate, harass, and degrade [Name Redacted] and to arouse and gratify Michael Seibel's sexual desire, in violation of 18 U.S.C. §§ 1152, 2241(c) and 2246(2)(D).

### COUNT III

On or about between the 23rd day of November, 2008, and the 4th day of December, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly engage in, and attempt to engage in, a sexual act with [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age of sixteen, and was at least four years younger than Michael Seibel, that is, contact, not through the clothing, between Michael Seibel's hand and fingers and [Name Redacted]'s genitalia, with the intent to abuse, humiliate, harass, and degrade [Name Redacted] and to arouse and gratify Michael Seibel's sexual desire, in violation of 18 U.S.C. §§ 1152, 2243(a) and 2246(2)(D).

### COUNT IV

On or about between the 26th day of July, 2006, and the 25th day of July, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly engage in, and attempt to engage in, a sexual act with [Name Redacted], an Indian minor, who had attained the age of twelve,

but had not attained the age of sixteen, and was at least four years younger than Michael Seibel, that is, contact, not through the clothing, between Michael Seibel's hand and fingers and [Name Redacted]'s genitalia, with the intent to abuse, humiliate, harass, and degrade [Name Redacted] and to arouse and gratify Michael Seibel's sexual desire, in violation of 18 U.S.C. §§ 1152, 2243(a) and 2246(2)(D).

#### COUNT V

On or about between the 23rd day of November, 2008, and the 4th day of December, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly engage in, and attempt to engage in, a sexual act with [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age of sixteen, and was at least four years younger than Michael Seibel, that is, contact between Michael Seibel's mouth and [Name Redacted]'s vulva, in violation of 18 U.S.C. §§ 1152, 2243(a) and 2246(2)(B).

#### COUNT VI

On or about between the 26th day of July, 2006, and the 25th day of July, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly engage in, and attempt to engage in, a sexual act with [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age of sixteen, and was at least four years younger than Michael Seibel, that is, contact between Michael Seibel's mouth and

[Name Redacted]'s vulva, in violation of 18 U.S.C. §§ 1152, 2243(a) and 2246(2)(B).

#### COUNT VII

On or about between the 23rd day of November, 2008, and the 4th day of December, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly engage in, and attempt to engage in, a sexual act with [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age of sixteen, and was at least four years younger than Michael Seibel, that is, contact between Michael Seibel's penis and [Name Redacted]'s vulva, in violation of 18 U.S.C. §§ 1152, 2243(a) and 2246(2)(A).

#### COUNT VIII

On or about between the 26th day of July, 2006, and the 25th day of July, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly engage in, and attempt to engage in, a sexual act with [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age of sixteen, and was at least four years younger than Michael Seibel, that is, contact between Michael Seibel's penis and [Name Redacted]'s vulva, in violation of 18 U.S.C. §§ 1152, 2243(a) and 2246(2)(A).

#### COUNT IX

On or about between the 23rd day of November, 2008, and the 4th day of December, 2010, at McLaughlin, in Indian country, in the District of South

Dakota, Michael Seibel did knowingly engage in, and attempt to engage in, a sexual act with [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age of sixteen, and was at least four years younger than Michael Seibel, that is, contact between Michael Seibel's penis and [Name Redacted]'s mouth, in violation of 18 U.S.C. §§ 1152, 2243(a) and 2246(2)(B).

#### COUNT X

On or about between the 23rd day of November, 2008, and the 4th day of December, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly cause and attempt to cause [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age of sixteen, and was at least four years younger than Michael Seibel, to engage in sexual contact, that is, the intentional touching, either directly or through the clothing, of his penis with her hand, with the intent to abuse, humiliate, harass and degrade [Name Redacted], and to arouse and gratify the sexual desire of Michael Seibel, in violation of 18 U.S.C. §§ 1152, 2244(a)(3) and 2246(3).

#### COUNT XI

On or about between the 26th day of July, 2006, and the 25th day of July, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly cause and attempt to cause [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age

of sixteen, and was at least four years younger than Michael Seibel, to engage in sexual contact, that is, the intentional touching, either directly or through the clothing, of his penis with her hand, with the intent to abuse, humiliate, harass and degrade [Name Redacted], and to arouse and gratify the sexual desire of Michael Seibel, in violation of 18 U.S.C. §§ 1152, 2244(a)(3) and 2246(3).

#### COUNT XII

On or about between the 23rd day of November, 2008, and the 4th day of December, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly cause and attempt to cause [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age of sixteen, and was at least four years younger than Michael Seibel, to engage in sexual contact, that is, the intentional touching, either directly or through the clothing, of [Name Redacted]'s groin, breast, and inner thigh, with the intent to abuse, humiliate, harass and degrade [Name Redacted], and to arouse and gratify the sexual desire of Michael Seibel, in violation of 18 U.S.C. §§ 1152, 2244(a)(3) and 2246(3).

#### COUNT XIII


On or about between the 26th day of July, 2006, and the 25th day of July, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did knowingly cause and attempt to cause [Name Redacted], an Indian minor, who had attained the age of twelve, but had not attained the age

of sixteen, and was at least four years younger than Michael Seibel, to engage in sexual contact, that is, the intentional touching, either directly or through the clothing, of [Name Redacted]'s groin, breast, and inner thigh, with the intent to abuse, humiliate, harass and degrade [Name Redacted], and to arouse and gratify the sexual desire of Michael Seibel, in violation of 18 U.S.C. §§ 1152, 2244(a)(3) and 2246(3).

COUNT XIV

On or about between the 23rd day of November, 2002, and the 4th day of December, 2010, at McLaughlin, in Indian country, in the District of South Dakota, Michael Seibel did abuse, expose, torture, torment, and cruelly punish [Name Redacted], a minor, in violation of 18 U.S.C. § 1152 and SDCL 26-10-1.

A TRUE BILL:

  
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Foreperson

BRENDAN V. JOHNSON  
UNITED STATES ATTORNEY

By: 